

**RECEIVED
CENTRAL FAX CENTER****DEC 15 2004****CERTIFICATE OF TRANSMISSION**

I hereby certify that this paper is being transmitted via facsimile (703-872-9306) to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

12-15-04

Date

H. Lisa Calico

H. Lisa Calico

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: William H. Lewis et al.

Group Art Unit: 3662

Serial No.: 10/616,402

Examiner: Ian J. Lobo

Filed: July 9, 2003

Atty. Dkt. No.: 405-0008US
(formerly 012407.000081)For: SYSTEM, METHOD, AND
APPARATUS FOR ATTRACTING AND
STIMULATING AQUATIC ANIMALS

Customer No.: 29855

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement (IDS) be entered and the documents listed on attached form(s) be considered by the Examiner and made of record. Copies of the non-patent documents required by 37 C.F.R. § 1.98(a)(2) are enclosed.

In accordance with 37 C.F.R. §§ 1.97(g) and (h), this IDS is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Commissioner for Patents
December 15, 2004
Page 2

Applicant respectfully requests that the listed documents be considered and made of record in the present case.

Should any fees be required under Rules 1.16 – 1.21 for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Wong Cabello L.L.P.'s Deposit Account No. 501922/406-0008US.

Should the Examiner have any questions or concerns that might be resolved by telephone communication, please do not hesitate to contact the undersigned attorney at 512-473-2550 ext. 102.

Respectfully submitted,



H. Lisa Calico
Reg. No. 43,725

Wong, Cabello, Lutsch, Rutherford & Brucculeri, L.L.P.
P.O. Box 685108
Austin, TX 78768-5108
512-473-2550 phone
512-473-2555 fax

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/616,402
	Filing Date	07/09/03
	Applicant	W. H. Lewis et al.
	Art Unit	3662
	Examiner Name	Ian Lobo
	Atty. Docket No.	406-0008US

U.S. Patents			
Examiner Initials*	Inventor	Patent Number	Issue Date
	Jiang	6,545,948 B1	04/08/03
	Watson et al.	5,485,697	01/23/96
	Harlev	5,463,597	10/31/95
	Enomoto	5,428,919	07/04/95
	Stanley	5,426,886	06/27/95
	Bethshears et al.	5,415,862	05/16/95
	Simpson	5,377,163	12/27/94
	DuMont	5,331,760	07/26/94
	Hill, et al.	5,282,178	01/25/94
	Wilson, Sr.	5,253,220	10/12/93
	Burghoff	5,235,774	08/17/93
	Dillard	5,230,178	07/27/93
	McWilliams	5,201,784	04/13/93
	Holt	5,177,891	01/12/93
	Parra	5,168,473	12/01/92
	Parra	5,168,471	12/01/92
	Trnka	5,134,799	08/04/92
	Parra	5,134,592	07/28/92
	Lindmeyer	5,121,568	06/16/92
	Parra	5,099,455	03/24/92
	Pippert	5,070,639	12/10/91
	Standish, Jr.	5,050,334	09/24/91
	Szilagyi, et al.	5,046,278	09/10/91
	Hardin	5,038,513	08/13/91
	Rust et al.	5,024,019	06/18/91
	Kennedy, Jr.	5,018,297	05/28/91
	Gentry	5,001,856	03/26/91
	Altmire, et al.	4,995,009	02/19/91
	Watson et al.	4,960,437	10/02/90

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/616,402
	Filing Date	07/09/03
	Applicant	W. H. Lewis et al.
	Art Unit	3662
	Examiner Name	Ian Lobo
	Atty. Docket No.	406-0008US

U.S. Patents			
Examiner Initials*	Inventor	Patent Number	Issue Date
	Loeffelman	4,955,005	09/04/90
	Ly	4,951,410	08/28/90
	Dubois	4,930,247	06/05/90
	Pierce	4,823,497	04/25/89
	Fuentes et al.	4,805,339	02/21/89
	Kurata	4,805,337	02/21/89
	Gammill	4,791,750	12/20/88
	Ninomiy	4,761,910	08/09/88
	Giovengo, Jr.	4,747,228	05/31/88
	Davis	4,745,700	05/24/88
	Nochta	4,744,169	05/17/88
	Hoover et al.	4,712,326	12/15/87
	Yamamoto	4,686,659	08/11/87
	Johnson	4,641,455	02/10/87
	Buchanan	4,625,447	12/02/86
	Dugan, Jr.	4,583,313	04/22/86
	Richard	4,538,249	08/27/85
	Hanna et al.	4,510,710	04/16/85
	Smith	4,453,335	06/12/84
	Menin	4,439,844	03/27/84
	Gowing	4,432,156	02/21/84
	Atkinson	4,380,132	04/19/83
	Guzik	4,345,399	08/24/82
	Honda	4,290,125	09/15/81
	Hodges, Jr. et al.	4,223,467	09/23/80
	Bryant	4,208,822	06/24/80
	Sacharnoski, Sr.	4,203,246	05/20/80
	Marek	4,202,127	05/13/80
	Hurt	4,190,976	03/04/80

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/616,402
	Filing Date	07/09/03
	Applicant	W. H. Lewis et al.
	Art Unit	3662
	Examiner Name	Ian Lobo
	Atty. Docket No.	406-0008US

U.S. Patents			
Examiner Initials*	Inventor	Patent Number	Issue Date
	Lucarini	4,163,338	08/07/79
	Esten	4,135,323	01/23/79
	Wagner et al.	4,102,075	07/25/78
	Hall	4,098,017	07/04/78
	Howard	4,075,778	04/28/78
	Firmin	4,069,610	01/24/78
	Schott	4,054,004	10/18/77
	Parker	4,045,903	09/06/77
	Folker	4,041,636	08/16/77
	Castelletti et al.	4,038,773	08/02/77
	Gardner	4,008,539	02/22/77
	Neil	3,992,800	11/23/76
	Sacharnoski, Sr.	3,988,851	11/02/76
	Plex	3,935,660	02/03/76
	Kent	3,909,974	10/07/95
	Fairbanks	3,909,973	10/07/75
	Strader	3,908,298	09/30/75
	Snipes	3,905,147	09/16/75
	Monchil	3,902,267	09/02/75
	Gentert	3,898,757	08/12/75
	Qualtrough, et al.	3,897,576	07/29/75
	Williams, Jr.	3,896,580	07/29/75
	York	3,885,338	05/27/75
	Richard	3,879,697	04/22/75
	Stevens	3,877,168	04/15/75
	McClellan	3,848,353	11/19/74
	Pittman	3,831,307	08/27/74
	Auten et al.	3,802,115	04/09/74
	Cordell, Jr.	3,782,024	01/01/74

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/616,402
	Filing Date	07/09/03
	Applicant	W. H. Lewis et al.
	Art Unit	3662
	Examiner Name	Ian Lobo
	Atty. Docket No.	406-0008US

U.S. Patents			
Examiner Initials*	Inventor	Patent Number	Issue Date
	Moore	3,760,528	09/25/73
	Shurley	3,757,454	09/11/73
	Richard	3,757,286	09/04/73
	Mackie	3,693,279	09/26/72
	D'Amore	3,683,356	08/08/72
	Perrin	3,568,351	03/09/71
	Garrison	3,530,612	09/29/70
	Treaster	3,494,063	02/10/70
	Lux	3,468,053	09/23/69
	Mitchell	3,449,852	06/17/69
	Marino	3,432,957	03/18/69
	Bornzin	3,416,254	12/17/68
	Richard, et al.	3,414,873	12/03/68
	Lahtinen	3,412,500	11/26/68
	Lowes, Jr.	3,397,478	08/20/68
	Puls et al.	3,367,059	02/06/68
	Godby	3,310,902	03/28/67
	Haslett	3,297,980	01/10/67
	McLean	3,296,733	01/10/67
	Bessler	3,220,139	11/30/65
	Blackwell	3,175,324	03/30/65
	Laughlin, et al.	3,174,129	03/16/65
	Mackey	3,172,227	03/09/65
	Multanen	3,153,876	10/27/64
	Jones	3,152,419	10/13/64
	Haslett	3,145,363	08/18/64
	Holloway, et al.	3,123,798	03/03/64
	D'Amore, et al.	3,105,233	09/24/63
	Pugliese	3,045,383	07/24/62

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/616,402
	Filing Date	07/09/03
	Applicant	W. H. Lewis et al.
	Art Unit	3662
	Examiner Name	Ian Lobo
	Atty. Docket No.	406-0008US

U.S. Patents			
Examiner Initials*	Inventor	Patent Number	Issue Date
	Busnel	2,977,705	04/04/61
	Goodman	2,939,240	06/07/60
	Balcken, et al.	2,920,318	01/05/60
	Schutz, et al.	2,853,824	09/30/58
	Kunze	2,821,805	02/04/58
	Bolzmann	2,788,509	04/09/57
	Mussio	2,765,565	10/09/56
	Wehn	2,624,145	01/06/53

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/616,402
	Filing Date	07/09/03
	Applicant	W. H. Lewis et al.
	Art Unit	3662
	Examiner Name	Ian Lobo
	Atty. Docket No.	406-0008US

U.S. Patent Application Publications			
Examiner Initials*	Applicant	Patent Application Publication Number	Publication Date

U.S. Applications, Unpublished			
Examiner Initials*	Inventor	Application Number	Filing Date

Foreign Patents and Foreign Patent Application Publications		
Examiner Initials*	Country or Patent Office Abbr., Document Number	Publication Date

Non-Patent Literature	
Examiner Initials*	Include author, title, pages, date, publisher, and place of publication
	Bleckman, Horst, <i>Role of the Lateral Line in Fish Behavior</i> , pp. 177-202.
	Hawkins, A.D., <i>Underwater Sound and Fish Behavior</i> , pp. 114-151.
	Idyll, Clarence P., <i>Abyss: The Deep Sea and the Creatures That Live in It</i> , Thomas Y. Crowell Co., New York, 1964, pp. 172-177, 264-267.
	Knudsen, Vern O. et al., "Underwater Ambient Noise," <i>Journal of Marine Research</i> , Vol. VII No. 3, 1948, pp. 410-429.

Examiner Signature	Date Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.